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## FISCAL IMPACT REPORT

ORIGINAL DATE 2/27/07

SPONSOR Steinborn LAST UPDATED 3/05/07 HB 998/aHENRC

SHORT TITLE Water Quality Control Commission Members SB \_\_\_\_\_

ANALYST Aubel

### APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY07	FY08		
	NFI		

(Parenthesis ( ) Indicate Expenditure Decreases)

Duplicates SB 1170.

### SOURCES OF INFORMATION

LFC Files

#### Responses Received From

New Mexico Environment Department (NMED)

Department of Health (DOH)

### SUMMARY

#### Synopsis of HENRC Amendment

The House Energy and Natural Resources Committee Amendment adds one more member to the Water Quality Control Commission by raising the governor appointees from three to four. This increases the total members to 14.

#### Synopsis of Original Bill

House Bill 998 expands the membership of the Water Quality Control Commission (WQCC) from 12 to 13 members by adding the Secretary of the Department of Health, or the Secretary's designee, as a permanent member.

The bill would also make gender-neutral language changes.

**SIGNIFICANT ISSUES**

The current WQCC is made up of 12 representatives: one from each of eight constituent state agencies, one local government, and three members of public. At the time of this designation, DOH and NMED were one agency. When the agencies split, the seat went to the Environment Department.

Evaluation and protection of public health is a specific mandate of the WQCC. The Department of Health is the agency with statutory access to individual health outcome data in the state to evaluate waterborne disease outcomes. This includes giardia and other waterborne pathogens, as well as birth defects, cancer, or other adverse health effects potentially associated with drinking water contaminants. DOH also has toxicology and epidemiology expertise to conduct these evaluations, establish and review health effect registries, and conduct disease surveillance.

**OTHER SUBSTANTIVE ISSUES**

Together with the federal Clean Water Act, the New Mexico Water Quality Act governs the protection of surface- and groundwater in the state. The act requires that the state Water Quality Control Commission (WQCC) adopt a comprehensive water quality management plan and establish water quality standards for surface- and groundwater that “at a minimum protect the public health or welfare, enhance the quality of water and serve the purposes of the Water Quality Act.”

House Bill 998 amends Section 74-6-3 NMSA 1978 (being Laws 1967, Chapter 190, Section 3, as amended).

MA/nt